

REMARKS

Claims 17-31 are pending in the present application. Claims 1-16 have been canceled. Claims 17-20 have been amended. Claims 21-31 have been added. The title has been amended. The Background of the Invention has been amended. The Examiner has indicated claim 19 would be allowable if rewritten to include all of the limitations of the claim from which it depends. Applicants reserve the right to prosecute the canceled claims in a divisional application.

Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the remarks appearing below.

Objections to the Specification

The Examiner has objected to the disclosure because line 3 of paragraph [0006] is missing the figure identifier following the occurrence of "FIG." in this line. Applicants have inserted the appropriate identifier.

The Examiner has objected to the title as not being descriptive of the invention to which the claims are directed. Applicants believe this objection is based on the fact that the claims being prosecuted are directed to a structure, whereas the title recites a method. Applicants have amended the title to conform with the amended claims.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the present objections.

Rejection Under 35 U.S.C. § 103

The Examiner has rejected claims 17, 18 and 20 under 35 U.S.C. § 103 as being obvious in view of U.S. Patent No. 6,413,802 to Hu et al. and admitted prior art, stating that Hu et al. disclose all of the limitations of these claims except an integrated circuit containing a plurality of finFETs. The Examiner then asserts that in view of the admitted prior art it would have been obvious to a person having ordinary skill in the art at the time of the invention to make an integrated circuit containing a plurality of the Hu et al. finFETs. Applicants respectfully disagree.

As best seen in FIG. 2E of the Hu et al. patent, Hu et al. disclose a finFET having, among other things, a gate "fin" and a pair of spacers (24) extending along the length of the gate fin. As

the Examiner has indicated in connection with the allowability of claim 19, Hu et al. do not disclose or suggest any spacers at the base of the source and drain fin.

Applicants have amended independent claim 17 to essentially include the limitation of the spacer located at the base of the source and drain fin that was originally present in allowable dependent claim 19. Therefore, amended independent claim 17, and claims 18-20 that depend therefrom, should be allowable.

In addition, Applicants have amended dependent claim 19 to include the limitations that second and third spacers on top of the source and drain each have a length along the gate substantially equal to the width of the corresponding source and drain. Hu et al. clearly do not disclose or suggest this limitation. The Hu et al. spacers 24 are much longer than the width of the source and drain—they extend the entire length of the gate fin. Consequently, amended dependent claim 19 is allowable for this additional reason.

For at least these reasons, Applicants respectfully request that the Examiner withdraw the present obviousness-type rejection.

New Claims

New claims 22-25 and 27-30 parallel amended claims 17-20. Claims 22-25 are directed to an integrated circuit containing a plurality of finFETs that each include at least a spacer at the base of the source-drain fin. Claims 27-30 are directed to a finFET having at least a spacer at the base of the source-drain fin. Applicants assert that new claims 21-31 are allowable for the same reason that amended claims 17-20 are allowable, this reason being the reason the Examiner gave for allowing claim 19, i.e., "[t]he prior art does not teach, alone or in combination, a finFET including a third spacer adjacent a base region."

CONCLUSION

In view of the foregoing, Applicants submit that claims 17-31, as amended, are in condition for allowance. Therefore, prompt issuance of a Notice of Allowance is respectfully solicited. If any issues remain, the Examiner is encouraged to call the undersigned attorney at the number listed below.

Respectfully submitted,

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